

Department of Health Professions

DIRECTOR'S POLICY # 76-3.5

Reporting to NPDB, HIPDB and Section 1921 Data Banks

Effective Date: November 14, 2011

Approved By:

D. Reynolds-Cane MD

Dianne Reynolds-Cane, M.D., Director

76-3.5 Reports to the National Practitioner Data Bank and the Healthcare Integrity & Protection Data Bank, maintained by the Bureau of Health Professions, Health Resources and Services Administration, U.S. Department of Health and Human Services.

Purpose:

To establish policy for transmittal of adverse action reports to the National Practitioner Data Bank (NPDB) (per Title IV, Public Law 99-660, the Health Care Quality Improvement Act of 1986, as amended; and Section 1921 of the Social Security Act), and the Healthcare Integrity & Protection Data Bank (HIPDB) (per Section 1128E of the Social Security act, as amended by Sec 221(a) of Public Law 104-191, the Health Insurance Portability Act of 1996) which require state agencies that license health care practitioners to report disciplinary actions and adverse actions against all health care practitioners within thirty (30) days.

Background:

- A. Title IV requires state boards of medicine and dentistry to report to the NPDB all adverse licensure actions on physicians and dentists, and professional competence or conduct, within 30 days. Actions to be reported include suspension, revocation, censure, reprimand, probation and surrender.
- B. Section 1921 of the Social Security Act expanded information to be reported to the NPDB, and who must report it. Under Section 1921, state agencies that license health care practitioners must report adverse state licensure actions taken against ALL health care practitioners, not just physicians and dentists, as well as negative actions or findings by state licensing authorities. State licensure action taken as a result of informal and formal administrative proceedings are reportable to NPDB and include:
 - Any adverse action, including revocation or suspension of a license, reprimand, censure or probation;
 - Any dismissal or closure of the proceedings by reason of the practitioner surrendering the license or leaving the state of jurisdiction;
 - Any other loss of the license, whether by operation of law, voluntary surrender (excluding those due to non-payment of licensure renewal fees, retirement or change to inactive status); or
 - Any negative action or finding that is publicly available information.



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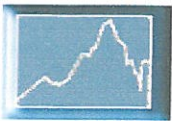
- C. Section 1128E of the Social Security Act requires state licensing agencies to report to the HIPDB any health care related criminal convictions and state licensure and certification actions.
- D. Actions taken by the agency against health care practitioners may be reportable to both the NPDB and HIPDB.
- E. Additional information available at: www.npdb-hipdb.hrsa.gov

Policy:

All publicly available disciplinary actions taken by the health regulatory boards ("boards") within the Department will be transmitted to the NPDB, the HIPDB, or both within thirty (30) days of the entry of the final action.

Responsibilities:

- A. Director, Administrative Proceedings Division.
 - 1. Serve as agency proponent for the NPDB and HIPDB, providing executive oversight of the program
 - 2. Serve as or oversee administrator/authorized submitter/certifying official for purposes of reporting to NPDB/HIPDB
 - 3. Ensure Data Bank Identification Number and password is maintained in current status to enable DHP access to NPDB/HIPDB
 - 4. Update Agency Director (or designee) within one (1) week of any new Data Bank reporting requirements
 - 5. Provide a monthly copy to the Agency Director of the board's compliance rates on reporting publicly available disciplinary actions to the Data Banks
 - 6. Provide a yearly written summary to the Agency Director by June 1st on major Data Bank activities
 - 7. Perform tasks in accordance with procedures as outlined below
- B. Director, Data Division. Provides the Director of APD with data support, as required.
- C. Regulatory Board Executive Directors. Perform tasks in accordance with procedures as outlined below.



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- D. Deputy Director for Enforcement. Supports the Director of APD in administration of Data Bank reporting, as required

Procedures:

Health Regulatory Boards:

1. Ensure that all final disciplinary actions are promptly closed in the Department's case management database-License 2000 ("L2K").
2. Provide the Director of APD with a copy of all correspondence received from any Data Bank entity.
3. Follow all appropriate tasks indicated in the attached Standard Operating Procedures.

Administrative Proceedings Division:

1. Ensure the prompt and accurate reporting of all required information for closed cases to the above mentioned Data Banks.
2. Follow all appropriate tasks indicated in the attached Standard Operating Procedures.

Attachments:

Attachment #1 – Required Information to be entered by the Boards in L2K for All Cases with Reportable Violations

Attachment #2 - Standard Operating Procedures for Data Bank Reporting

Attachment #3 – Department of Health Professions Procedures for HIPDB Query Requests

Attachment #4 – Department of Health Professions HIPDB Reporting Glossary